



2016 CHAPTER 18

PART 3

NOMINATED PERSON

Appointment by person of his or her nominated person

Appointment of nominated person

70.—(1) A person who is 16 or over (“the appointer”) may, at any time when he or she has capacity to do so, appoint one person who is 16 or over to be the appointer’s nominated person.

(2) An appointment under this section is valid only if—

- (a) the appointment is in writing and the conditions of section 79 (formalities) are met; and
- (b) the person appointed consents in writing to being the appointer’s nominated person.

(3) That consent may be given—

- (a) before section 79 is complied with (in which case the appointment takes effect when that section is complied with); or
- (b) at the same time as, or after, that section is complied with (in which case the appointment takes effect when the consent is given).

(4) An appointment under this section remains effective even where, at a time after the appointment, the appointer no longer has capacity to make decisions about his or her nominated person.